

In the City Council
City of Lodi
Lodi, California

ORIGINAL

ORDINANCE NO. 522

AN ORDINANCE REGULATING AND LICENSING CARD
ROOMS IN THE CITY OF LODI; PROVIDING FOR
THE REGISTRATION OF THE OWNERS AND EMPLOYEES
OF SUCH ESTABLISHMENTS; FIXING A PENALTY
FOR VIOLATIONS.

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF LODI
AS FOLLOWS:

Section 1. LICENSE REQUIRED. It shall be unlawful for any person, for himself, or for any other person, firm or corporation, to engage in or carry on, or to maintain or conduct, or cause to be engaged in, carried on, maintained or conducted, any card room in the City of Lodi without first having secured a license from said City so to do, according to each and every requirement of this ordinance, or without complying with each and every regulation contained herein pertaining to such card room.

Section 2. CARD ROOM - DEFINED. For the purpose of this ordinance a "Card Room" is hereby defined to be any space, room or enclosure, furnished or equipped with a table used or intended to be used as a card table for the playing of cards and similar games, and the use of which is available to the public, or any portion of the public; provided, however, that this section shall not apply to any bona fide non-profit society, club, fraternal, labor or other organization, as defined in Section 8 hereof.

Section 3. APPLICATION FOR LICENSE. An applicant for a card room license shall submit his application to the Chief of Police of the City of Lodi, which application shall be under

oath, and shall include, among other things, the true names and addresses of all persons financially interested in the business. The term "persons financially interested" shall include all persons who share in the profits of the business, on the basis of **gross** or net revenue. The ~~past~~ criminal record, if any, of the applicant and of all persons financially interested in the business shall be shown on such application. The application shall **also** be accompanied by finger prints of the applicant and of persons financially interested in the business. A license ~~may~~ be issued only to citizens of the United States who have resided in the County of San Joaquin for at least two (2) years immediately preceding the issuance of such license.

The Chief of Police shall deny any applicant for a card room license, a license to operate such card room if

(a) Said applicant has previously been convicted of a felony or

(b) Said applicant has previously been convicted of any narcotics violation or

(c) Said applicant is not in the opinion of the Chief of Police a person of good moral character,

The action of the Chief of Police in denying such a license on the basis of the applicant not being a person of good moral **character shall be subject to** an appeal to a Board of Appeals *consisting of the City Council.* ~~of three Councilmen appointed by the Mayor;~~ Notice of such appeal shall be filed with the City Clerk within ten (10) days after the denial of said license. Upon failure to file such notice within the ten (10) **day** period the action of the Chief of Police in denying such license shall be final and ~~conclusive~~.

Section 4. **EMPLOYEE WORK PERMITS.** Card room **employees** must obtain a **work permit** from the Chief of Police. Card room **employees** for the purpose of **this** ordinance are defined as

dealers, overseers, and others directly connected with the operation and supervision of the card tables and excluding waitresses, bartenders, culinary workers and others not connected with such operation and supervision. Applications for such work permits shall be submitted under oath and contain the past criminal record, if any, of the applicant and such information as may be deemed by the Chief of Police necessary to determine whether the applicant is a proper person to be issued a card room work permit. The application shall **also** be accompanied by finger prints of the applicant. A work permit shall be issued only to citizens of the United States who have resided in the County of San Joaquin for at least one **(1)** year immediately preceding the issuance of such work permit- The Chief of Police shall deny to such applicant a **work** permit if

(a) Said applicant has previously been convicted of **a** felony or

(b) Said applicant has previously been convicted of any narcotics violation or

(c) Said applicant is not in the opinion of the Chief of Police a person of good moral character.

Each application for a work permit shall be accompanied by a fee of \$10 and shall be valid for a period of one **(1)** year. The \$10 fee shall not be returned in the event that said work permit is refused, revoked or suspended as herein-after provided. **Only** one such **work** permit shall be required each year, even though the holder of said work permit may change his place of employment within the City of Lodi.

The action of the Chief of Police in denying such a work permit on the basis of the applicant not being a person of good moral character shall be subject to an appeal **to** a Board

^{composed of the City Council;}
~~of Appeals of three Councilmen appointed by the Mayor.~~ Notice of such appeal shall be filed with the City Clerk within ten (10) days after the denial of said work permit. Upon failure to file such notice within the ten (10) day period, the action of the Chief of Police in denying such work permit shall be final and conclusive.

Section 5. SUSPENSION AND REVOCATION. The Chief of Police shall have the right for cause to revoke or suspend any card room license or card room work permit issued hereunder and to take possession of such permits. Any of the grounds upon which the Chief of Police shall be required to refuse to issue an initial card room license or card room work permit shall also constitute grounds for such revocation or suspension. In addition the failure of a holder of a card room license or card room work permit to comply with the provisions of this ordinance shall also constitute grounds for revocation or suspension of such license or work permit. The action of the Chief of Police in this respect shall be subject to an appeal to a Board of Appeals ~~of three Councilmen appointed by the Mayor.~~ Notice of such appeal shall be filed with the City Clerk within ten (10) days after the revocation or suspension. Upon failure to file such notice within the ten (10) day period, the action of the Chief of Police in revoking or suspending the license or work permit shall be final and conclusive.

Section 6. NON-TRANSFERABLE No person shall be granted a license to conduct more than one card room. No card room license shall be assignable or transferable.

Section 7. CARD ROOM REGULATIONS. It shall be unlawful to operate a card room in violation of any of the following regulations and rules:

(a) Not more than one card room shall be located at any one address.

(b) No game except low-ball, draw poker, without variations as defined by Hoyle, pinochle, pangini, rummy, and contract or auction bridge shall be played in any card room.,

(c) Not more than six (6) tables shall be permitted in any card room.

(d) Not more than seven (7) players shall be permitted at any one card table.

(e) Card rooms shall be located on the ground floor, and so arranged that card tables and the players at the tables shall be plainly visible from the front door opening when said door is opened. No wall, partition, screen, or similar structure between the front door opening on the street and any card table located in the card room shall be permitted if it interferes with said visibility,

(f) No minor shall be permitted at any card table, or participate in any game played thereat.

(g) All card rooms shall be closed at 2 a.m. and shall remain closed until 10 a.m. Card rooms may be operated seven days a week.

(h) All card rooms shall be open to police inspection during all hours of operation.

(i) Only table stakes shall be permitted.

(j) The cashing of bank checks for players shall not be permitted in any card room.

(k) Each card table shall have assigned to it a person whose duty shall be to supervise the game and to see to it that it is played strictly in accordance with the terms of this ordinance, and with the provisions of the Penal Code of the State of California. This

person may have more than one table under his supervision, He shall not, however, participate in the game.

(1) **No** signs or other insignia advertising or relative to card **rooms** shall be permitted upon the exterior of any premises occupied as a card room.

(m) There shall be posted in every card **room** in letters plainly visible from all parts thereof, signs stating that no game except low-ball, draw poker without variations **as** defined by Hoyle, pinochle, panging, rummy, and contract or auction bridge shall be played in the card room. These signs shall also contain such other information relating to the regulations contained herein as the Chief of Police may require;.

(n) No person who is in a state of intoxication shall be permitted in any card room.

Section 8. CLUBS - EXCLUDED. A noa-profit society, club, fraternal, labor or other organization having adopted by-laws and duly elected directors and members may be granted a permit without fee by the Chief of Police, when it appears that the tables are for the exclusive use of members of the society, club, fraternal, labor, or other organization, and no charge is made for any of the facilities.

Section 9. **STATE LAW VIOLATIONS.** The City Council of the City of Lodi hereby declares that it **is** not the intention of this ordinance to permit the licensing of any card room for the playing of any game prohibited by the laws of the State, including but not limited to those games enumerated in Section 330 of the Penal Code of the State of California, which Section includes Banking and Percentage games.

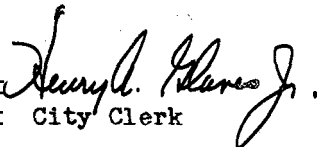
Section 10. **FINE OR IMPRISONMENT.** Any person, society, club or organization violating any of the terms, requirements,

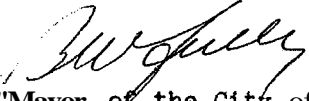
regulations or provisions of this ordinance shall be deemed guilty of a misdemeanor and upon conviction thereof, shall be punished by a fine not exceeding five hundred dollars (\$500.00), or by imprisonment in the County Jail for not more than six (6) months, or by both such fine and imprisonment.

Section 11. Ordinances No. 26 and No. 144 of the City of Lodi are hereby repealed.

Section 12. This ordinance shall take effect and be in full force from and after thirty days from its final passage.

Approved this 2 day of March, 1955.

Attest: 
Attest: City Clerk


"Mayor of the City of Lodi

** ** ** ** **

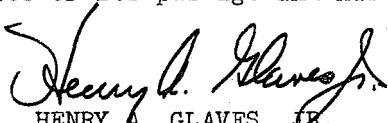
I, HENRY A. GLAVES, JR., City Clerk of the City of Lodi and ex officio Clerk of the City Council of said City, do hereby certify that the foregoing Ordinance No. 522 was introduced in regular meeting of said Council held February 16, 1955, and was thereafter passed, adopted and ordered to print at a regular meeting of the City Council held March 2, 1955, by the following vote:

AYES : Councilmen - Hughes, Mitchell, Richey, Robinson and Fuller

NOES: Councilmen - None

ABSENT: Councilmen - None

I FURTHER CERTIFY that Ordinance No. 522 was approved and signed by the Mayor on the date of its passage and has been published pursuant to law.


HENRY A. GLAVES, JR.
City Clerk

Dated: March 4, 1955